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14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16  
17 UNITED STATES OF AMERICA,  
18 Plaintiff,  
19 v.  
20 BENJAMIN JOHN SARGISSON,  
21 Defendant.

22 CASE NO. 2:22-CR-16-DC  
23 STIPULATION REGARDING EXCLUDABLE  
24 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
25 [PROPOSED] ORDER  
26 DATE: September 26, 2025  
27 TIME: 9:30 a.m.  
28 COURT: Hon. Dena M. Coggins

29  
30 **STIPULATION**

31 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
32 through defendant's counsel of record, hereby stipulate as follows:

- 33 1. By previous order, this matter was set for status on September 26, 2025.
- 34 2. By this stipulation, defendant moves to continue the status conference until November 7,  
35 2025, at 9:30 a.m., and to exclude time between September 26, 2025, and November 7, 2025, under 18  
36 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
- 37 3. The parties agree and stipulate, and request that the Court find the following:
- 38 a) The government is continuing its efforts to access the data from a DVR of  
39 security camera footage that the defense has requested. Defense counsel has recently provided to  
40 the government a password that the parties hope will allow access. Failing that, the government  
41 will need to apply addition extraction techniques. The parties will need further time to extract

1 the data, at which time defense counsel will determine whether or not further investigation is  
2 necessary.

3 b) The government has represented that the discovery associated with this case  
4 includes investigative reports and photographs, which the government has produced directly to  
5 counsel. There is also physical evidence in the form of the firearms in question, which the  
6 government has available for inspection, and will likewise make any other physical evidence  
7 available for inspection.

8 c) Defense counsel desires additional time to review the discovery produced, as well  
9 as the anticipated discovery mentioned above, to consult with his client, to conduct investigation  
10 and research related to the current charges, to discuss potential resolutions to this matter, and to  
11 otherwise prepare for trial.

12 d) Counsel for defendant believes that failure to grant the above-requested  
13 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
14 into account the exercise of due diligence.

15 e) The government does not object to the continuance.

16 f) Based on the above-stated findings, the ends of justice served by continuing the  
17 case as requested outweigh the interest of the public and the defendant in a trial within the  
18 original date prescribed by the Speedy Trial Act.

19 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
20 et seq., within which trial must commence, the time period of September 26, 2025 to November  
21 7, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local  
22 Code T4] because it results from a continuance granted by the Court at defendant's request on  
23 the basis of the Court's finding that the ends of justice served by taking such action outweigh the  
24 best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

## IT IS SO STIPULATED.

Dated: September 19, 2025

**ERIC GRANT**  
United States Attorney

Dated: September 19, 2025

/s/ MARIO TAFUR  
MARIO TAFUR  
Counsel for Defendant  
BENJAMIN JOHN SARGISSON

## ORDER

The court, having received, read and considered the parties' stipulation and good cause appearing therefrom, APPROVES the parties' stipulation. Accordingly, the Status Conference scheduled for September 26, 2025, is VACATED and RESET for November 7, 2025 at 9:30 a.m. in Courtroom 10 before the Honorable Dena M. Coggins. The time period between September 26, 2025 and November 7, 2025, inclusive, is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and B(iv) [Local Code T4], as the ends of justice served by granting the continuance outweigh the best interest of the public and the defendants in a speedy trial.

IT IS SO ORDERED.

Dated: September 22, 2025

  
Dena Coggins  
United States District Judge